

EMPLOYER STATUS DETERMINATION
Calumet Western Railway Company

This is a determination of the Railroad Retirement Board concerning the continued status of Calumet Western Railway Company (CWRC), B.A. 4309, as an employer under the Railroad Retirement Act (45 U.S.C. 231 *et seq.*)(RRA) and the Railroad Unemployment Insurance Act (45 U.S.C. 351 *et seq.*)(RUIA).

CWRC has been an employer covered by the RRA and the RUIA, with service creditable from September 18, 1897. Information regarding this company was provided in a letter dated December 2, 2010 from Mr. Larry Bush, Chief Financial Officer of Chicago Rail Link. Mr. Bush stated that in the 1980's, CWRC no longer provided any rail services. Until 1998, CWRC was a facility jointly owned by Conrail, Indiana Harbor Belt Railway (IHB) and Chicago Rail Link (CRL). In 1998, CRL bought out the ownership interests of IHB and Conrail, however, CWRC, still did not provide any rail services.

Mr. Bush further stated that effective December 31, 2009, CWRC was merged with CRL. CWRC had no employees at that time and has not had any employees in recent memory. Any assets of CWRC were merged with CRL. CWRC no longer exists as a separate legal entity. It has no relations with the railroad industry and does not provide any rail service.

Section 202.11 (20 C.F.R. §202.11) of the Board's regulations states, "[t]he employer status of any company or person shall terminate whenever such company or person loses any of the characteristics essential to the existence of an employer status." The evidence of record establishes that CWRC no longer possesses the characteristics of an operating railroad company covered under the RRA and the RUIA.

The Board finds that effective with the close of business December 31, 2009, the effective date of the merger with CRL, Calumet Western Railway Company ceased being a covered employer under the RRA and the RUIA.

Original signed by:

FOR THE BOARD
Beatrice Ezerski
Secretary to the Board